



PTO/SB/51 (02-01)

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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

47097-00057USPR

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 6,279,298, granted August 28, 2001, and for which a reissue patent is sought on the invention entitled Fill-Through-The-Top Package And Method And Apparatus For Making The Same,

the specification of which

is attached hereto.
 was filed on August 25, 2003, as reissue application number 10/647,819.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

by reason of a defective specification or drawing.
 by reason of the patentee claiming more or less than he had the right to claim in the patent.
 by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

U.S. Patent No. 6,279,298 relates to creating a fill opening between one track of the fastener and one of the panels. Claim 9 of the '298 patent, for example, requires a "folding" step that is unnecessary for claim 9 to be patentable over the prior art. Hence, new claim 17 has broadened this aspect of claim 9. Claim 9 of the '298 patent also requires the attachment to occur "near a longitudinal edge of the first panel," which is also unnecessary for claim 9 to be patentable over the prior art. Hence, new claim 17 has broadened this aspect of claim 9, as well. Thus, claim 9 was drafted too narrowly because it includes limitations that were not needed for the patentability of the claims.

Furthermore, the methodology of creating a fill opening between one track of a fastener and a web, wherein the fastener includes a preattached slider, was not claimed as broadly as it could have been in the '298 patent. Accordingly, new claim 55 broadens the overall claim scope with respect to this subject matter.

[Page 1 of 3]

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All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

ROBERT L. ABDON, Reg. No. 50,996
 TIMOTHY G. ACKERMANN, Reg. No. 44,493
 BENJAMIN J. BAI, Reg. No. 43,481
 JOSEPH M. BEAUCHAMP, Reg. No. 46,544
 NORMA BENNETT, Reg. No. 51,229
 MICHAEL D. BERGER, JR., Reg. No. 52,616
 MARY JO BOLDINGH, Reg. No. 34,713
 MARGARET A. BOULWARE, Reg. No. 28,708
 DANIEL J. BURNHAM, Reg. No. 39,618
 SORINEL CIMPOES, Reg. No. 48,311
 JASON W. COOK, Reg. No. 48,456
 ANDREW G. DINOVO, Reg. No. 40,115
 STUART D. DWORK, Reg. No. 31,103
 JANET M. GARETTO, Reg. No. 42,568
 MARK GATSCHET, Reg. No. 42,569
 JOHN C. GATZ, Reg. No. 41,774
 RUSSELL J. GENET, Reg. No. 42,571
 ANIL V. GOLLAHALLI, Reg. No. 48,996
 LEKHA GOPALAKRISHNAN, Reg. No. 46,733
 STEVEN R. GREENFIELD, Reg. No. 38,166
 J. PAT HEPTIG, Reg. No. 40,643
 SHARON A. ISRAEL, Reg. No. 41,867
 JOHN R. KIRK JR., Reg. No. 24,477
 PAUL R. KITCH, Reg. No. 38,206

TIMOTHY M. KOWALSKI, Reg. No. 44,192
 HSIN-WEI LUANG, Reg. No. 44,213
 MICHAEL MADDOX, Reg. No. 47,764
 ROGER L. MAXWELL, Reg. No. 31,855
 LISA H. MEYERHOFF, Reg. No. 36,869
 ASHLEY N. MOORE, Reg. No. 51,667
 STANLEY R. MOORE, Reg. No. 26,958
 DANIEL G. NGUYEN, Reg. No. 42,933
 CONSTANCE L. PIELECH, Reg. No. 46,991
 GREGORY PORTER, Reg. No. 40,131
 ROSS T. ROBINSON, Reg. No. 47,031
 STEPHEN G. RUDISILL, Reg. No. 20,087
 JERRY R. SELINGER, Reg. No. 26,582
 ZACHARY J. SMOLINSKI, Reg. No. 47,100
 JUSTIN SWINDELLS, Reg. No. 48,733
 STEVE Z. SZCZEPANSKI, Reg. No. 27,957
 ANDRE M. SZUWALSKI, Reg. No. 35,701
 ALAN R. THIELE, Reg. No. 30,694
 CYNTHIA K. THOMPSON, Reg. No. 48,655
 TAMSEN VALOIR, Reg. No. 41,417
 BRIAN D. WALKER, Reg. No. 37,751
 HAROLD N. WELLS, Reg. No. 26,044
 WILLIAM D. WIESE, Reg. No. 45,217

Correspondence Address: Direct all communications about the application to:

Customer Number 30223

OR (Type Customer Number here)

(Place Customer Number
Bar Code Label here)

<input checked="" type="checkbox"/> Firm or Individual Name	Daniel J. Burnham				
Address	Jenkens & Gilchrist 225 West Washington Street, Suite 2600				
City	Chicago	State	Illinois	Zip	60606-3418
Country	USA	Telephone	(312) 425-3900	Fax	(312) 425-3909

[Page 2 of 3]

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REISSUE APPLICATION DECLARATION BY THE INVENTOR	Docket Number (Optional)
	47097-00057USPR

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name): **Toby R. Thomas**

Inventor's signature <i>Toby R. Thomas</i>	Date <i>July 26, 2005</i>
--	---------------------------

Residence: 5411 88th Street, Pleasant Prairie, WI 53158

Mailing Address: same as Residence	Citizenship: U.S.A.
------------------------------------	---------------------

Full name of second joint inventor (given name, family name): **Samuel D. Aversa**

Inventor's signature	Date
----------------------	------

Residence: 1603 Cornfield Circle, Farmington, New York 14425

Mailing Address: same as Residence	Citizenship: U.S.A.
------------------------------------	---------------------

Full name of third joint inventor (given name, family name): **John D. Athans**

Inventor's signature	Date
----------------------	------

Residence: 7300 Silver Hill Path, Victor, New York 14564

Mailing Address: same as Residence	Citizenship: U.S.A.
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Additional joint inventors are named on separately numbered sheets attached hereto.

[Page 3 of 3]

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<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>		
Full name of sole or first inventor (given name, family name): Toby R. Thomas		
Inventor's signature	Date	
Residence: 5411 88th Street, Pleasant Prairie, WI 53158		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of second joint inventor (given name, family name): Samuel D. Aversa		
Inventor's signature <i>Samuel D. Aversa</i>	Date <i>7/28/05</i>	
Residence: 4445 Arnold DR. Canandaigua NY 14424		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of third joint inventor (given name, family name): John D. Athans		
Inventor's signature	Date	
Residence: 7300 Silver Hill Path, Victor, New York 14564		
Mailing Address: same as Residence	Citizenship: U.S.A.	
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.		

[Page 3 of 3]

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Full name of sole or first inventor (given name, family name): Toby R. Thomas		
Inventor's signature	Date	
Residence: 5411 88th Street, Pleasant Prairie, WI 53158		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of second joint inventor (given name, family name): Samuel D. Aversa		
Inventor's signature	Date	
Residence: 1603 Cornfield Circle, Farmington, New York 14425		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of third joint inventor (given name, family name): John D. Athans		
Inventor's signature <i>John D. Athans</i>	Date 07/27/05	
Residence: 7300 Silver Hill Path, Victor, New York 14564		
Mailing Address: same as Residence	Citizenship: U.S.A.	
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.		

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